

30 KAR 1:010. Certificates of existence or authorization; status of good standing.

RELATES TO: KRS Chapters 271B, 272, 273, 274, 279, 287, 289, 290, 304, 1994 Ky. Acts ch. 389

STATUTORY AUTHORITY: 1994 Ky. Acts ch. 389

NECESSITY, FUNCTION, AND CONFORMITY: To codify as an administrative regulation the long-standing custom, practice, function and service of the Department of State to issue a "Certificate of Existence" or "Certificate of Authorization" to the many corporations and limited liability companies on file in that department, and to their representatives who request them.

Section 1. (1) As used in this administrative regulation:

(a) "Good standing" means that all annual reports which are lawfully required to be received from a corporation or limited liability company, whether foreign or domestic, have been received and filed in the Department of State, that all other lawfully required statutory documentation has been received and filed, and that all lawful fees therefor have been paid.

(b) A certificate of existence may be issued to a domestic corporation or limited liability company, and a certificate of authorization to a foreign corporation or limited liability company qualified to do business in Kentucky.

(c) "Certificate of existence or authorization" means a certificate issued by the Department of State showing that a corporation or limited liability company is in good standing with that department.

(2) The Department of State may, upon request, issue a certificate of existence or authorization relative to any corporation or limited liability company of record in its office which is in good standing.

(3) The fees charged for the certificate and any accompanying pages shall be those fees set forth in KRS 271B.1-220 and 1994 Ky. Acts ch. 389. (1 Ky.R. 326; eff. 2-5-75; Am. 15 Ky.R. 2076; eff. 5-11-89; 2414; eff. 8-5-89; 20 Ky.R. 3206; eff. 8-4-94.)